

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LEO NICHOLAS,

Plaintiff,

v.

JOSEPH LEHMAN,

Defendant.

Case No. C04-5857RBL

ORDER DENYING I.F.P.
APPLICATION

This matter is before the Court on the Report and Recommendation of Judge J. Kelley Arnold, United States Magistrate Judge [Dkt. #9]. No objections to the Report and Recommendation have been filed. The Court is familiar with the record and hereby ORDERS:

- (1) The Court ADOPTS the Report and Recommendation;
- (2) The Plaintiff's petition to proceed in forma pauperis is DENIED; and
- (3) The Clerk is directed to send copies of this Order to plaintiff's counsel, defendant's counsel and Magistrate Judge J. Kelly Arnold.

DATED this 3rd day of May, 2005.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE